

REGULAR MEETING

Mayor and Council

Borough of Harrington Park, New Jersey

May 17, 2021

PUBLIC NOTICE **BOROUGH OF HARRINGTON PARK** **MEETING MOVED TO ELECTRONIC PLATFORM** **“ZOOM.US”**

Pursuant to Governor Murphy’s Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the meeting of the Borough of Harrington Park scheduled for **May 17, 2021 at 7:00 p.m.** will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears below.

Members of the public may submit written comments in advance of a meeting, which will be read during the relevant public portion of the meeting. Written comments shall contain the person’s name and address and may be submitted via email to the Borough Clerk (clerk@harringtonparknj.gov) or by mail addressed to: Clerk, Borough Hall, 85 Harriot Ave., Harrington Park, NJ . Emailed comments must be received at least 48 hours prior to the meeting. Mailed comments must be received by 4:00 p.m. the day before the meeting.

Topic: Mayor and Council Meeting May 17, 2021

Time: May 17, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/95619171022?pwd=ZE1l1a1RuNm5kSG1QVjFzUUtMcjYxUT09>

Meeting ID: 956 1917 1022

Passcode: 551900

One tap mobile

+19292056099,,95619171022#,,, *551900# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 956 1917 1022

Passcode: 551900

Find your local number: <https://zoom.us/u/adv5l2VoES>

If any meeting includes a public hearing, all material that will be considered by the Borough Council at the public hearing shall be posted on or linked to the homepage of the Borough's website in a conspicuous location or as otherwise required by law. Written comments, as set forth above, will be accepted for such public hearings. If sworn testimony is to be taken during the public hearing, it shall be broadcast by both video and audio. Written public comments will not be considered where sworn testimony is required.

A copy of the agenda and all meeting materials is available at the Borough of Harrington Park website: www.harringtonparknj.gov.

A copy of the agenda and meeting materials may also be requested by calling the Borough Clerk or submitting an e-mail request. Members of the public may contact the Borough Clerk to obtain copies of the meeting materials by calling the Borough Clerk at (201) 768-1700 during the hours of 9:00 a.m. to 4:00 p.m. during normal business days, or by e-mail: Ann Bistriz clerk@harringtonparknj.gov

All documents for matters on the agenda are electronically on file at the following website: www.harringtonparknj.gov.

Please be aware that the audio connections for all members of the public will be muted for the duration of the meeting, except for those periods when public comments are received. Members of the public may use the "raise your hand" feature on Zoom, or may e-mail the Borough Clerk during the meeting, to request to participate in public comment portions. Any member of the public will be unmuted for the purpose of making public comment, or may submit a comment by e-mail to be read by the Borough Clerk. The Borough Clerk's e-mail is: clerk@harringtonparknj.gov. The Borough may impose time limitations on the length of individual speakers.

Members of the public are advised that the video and audio of the meeting will be recorded and will be a public record subject to disclosure pursuant to the Open Public Meetings Act. The Borough reserves the right to post the recording of the meeting to its website.

Formal Action may or may not be taken.
Any other business that may come before the Council

(PAH) Call Meeting to Order

Time: 7:01pm

Mayor's Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been emailed to the BERGEN RECORD and SUBURBANITE. A copy has been filed with the Borough Clerk, and copies have been provided to individuals requesting the same.

(ALB) Roll Call:

	PRESENT	ABSENT
NAPOLITANO(AN)	X	

EVANELLA (GE)	X	
WALKER (DW)	X	
BROCKMAN (JB)	X	
PEDERSEN (JP)	X	
CHUNG (JC)	X	

Also present:

Ms. Ann H. Bistriz, Borough Clerk (ALB)

Mr. Kunjesh Trivedi CFO CTC (KJT)

Mr. John Dineen, Borough Attorney

(PAH) Flag Salute

(PAH) Suspend the Regular Order of Business

Motion GE

Second JP

Vote AIF

(PAH) Meeting Open to the Public

Motion GE

Second JP

Vote AIF

Ms. Desiree Bogosian-5 Amelia Court

Ms. Bogosian has been involved with a neighbor to neighbor dispute regarding her rooster and complaints from her neighbor Mr. Carlos Vargas.

Ms. Bogosian was served a summons for noise disturbance, however, the Prosecutor/Judge dismissed the charges on her behalf.

Ms. Bogosian shared her series of events that led up to the recent circumstances in great detail. On Mr. Varga's initial complaint a few months ago, she attempted to find a new home for the rooster. However, she did not have any luck so the decision was to keep the rooster as a pet. She has cooped the rooster most of the day so it does not crow, and in addition has used a noise reduction collar on it which brings the decibel level down to 60-70 decibels. The rooster is not let out of its coop until around 1pm each day to run freely in her 100' by 240' property.

Ms. Bogosian provided a list of the timings of her rooster crowing for a complete week. All were between 2pm-4pm when the rooster is outside her home.

Police visited the Bogosian home on March 9, 2021 responding to a complaint from her neighbor Mr. Vargas. The two police officers noted in their reports that there was only low level noise from her rooster.

Additional police responses came on April 2, 2021 and April 22, 2021 both with the same conclusion, that the crowing level is low or there was no noise.

Robert McQuade (Property Maintenance) and Louis Apa (Sanitarian) also visited her property. Mr. McQuade determined low noise and Mr. Apa did not hear anything.

Ms. Bogosian included that the Mayor spent over 45 minutes in her culdasc and did not hear any disturbance.

Ms. Bogosian continued that she has other direct neighbors that would, if anything, be adversely affected, and none of them have complained to her or the town. The only person who complained along with Mr. Vargas in the neighbor that is directly across the street from the front of Mr. Vargas' home. Further away than any other neighbor. Ms. Bogosian shared State statutes and definition of noise that pertains to animals, along with the applicable Borough Codes (roosters are not prohibited). In conclusion, she feels that she and her pets are being harassed and tormented by Mr. Vargas, as well as his family; Mr. Vargas is being unreasonable and hypersensitive to noise levels during the day, of which residents have the right to make.

With no comments or questions from Council members or other public, PAH thanked Ms. Bogosian for bringing Council up to speed on this issue.

Leslie (LF) and Brett Finer (BF)-Norma Road
Jessica Greer (JG), Lafayette Road

A list of Borough concerns was sent to the Mayor and Council starting in December of 2020. AN took it upon himself to help maneuver some of the requests of the three residents. Most of the items on the list were addressed to the best of the municipality's ability. Even though there were many things that were taken care of, there is still room for improvement.

Emphasis by the residents included additional cleaning of the areas that are not Borough property and that posted "No Trespassing."

JRD explained that the Borough has worked with Congressman Gottheimer's to address the damaged retaining wall by the police station as well as overgrowth and disrepair along the tracks and the surrounding property. The Borough has absolutely no authority over anything that falls under Federal jurisdiction. If a resident wants to trespass on to another entities' property that is their prerogative, but the municipality absolutely cannot entertain such actions.

JG responded that she has spoken to representatives at the Congressman's Office, as well as, Assemblyman Auth's and Senator Cardinale's office. She stated that she had been advised to ask the town why they would not clean it themselves. In addition, it was stated that she reached out to neighboring towns DPWs and was advised that they clean the train tracks on a regular basis.

JG feels that even through CSX is unresponsive, the residents of Harrington Park should not have to live with the filth the railroad brings into town.

JG has gone out several times herself to do litter patrol and also clean the shoulder of the road on West Shore Drive. If she did not do it herself, it would never be done. She should not be doing this alone, she needs help to do this type of cleaning.

AN responded that he understands her concerns, and concurs that JRD has sent many letters to a variety of entities that own property in the Borough. The DPW does go out and collect what they can from the road edge, but will not go out any further on restricted property. Many organizations in the Borough have held clean-up programs such as the High School, HP Green Team and the Knights of Columbus.

Much of the litter comes through the town from the trains since we are on a curve and it seems to collect in this portion of the tracks.

LF added that perhaps discussion can take place with the other towns to see how they deal with this problem and collectively we would be able to do better.

AN will speak with the DPW and see how things can be addressed in a better way.

JG requested that the Borough replace the broken fence along Westshore Road with a 6' fence which would help visually curtain the look, as well as keep litter from blowing towards the roadways or in line of sight.

ALB will reach out to the neighboring towns to see what their protocol is regarding the railroad lines through their municipalities.

LF would also like to see additional cutting of weeds along the roadways and wooded areas and cleaning of the sidewalks of debris and weeds in the business area on Laroche. ALB explained that the Borough was awarded a grant to pave Laroche from the tracks to Elliot Road. Wish list includes updating the sidewalks (private property), garbage cans, lighting addition of benches.

AN added that the Environmental Commission puts together clean up programs on a regular basis.

BF inquired how this can be done or how he can participate. ALB informed him that if he has a group of people that are interesting in volunteering, she can put him in touch with the Chair who can help set up the event and provide some supplies.

The Finers also requested that the swings and play areas at Highland Field and George Street Park be powerwashed.

JC responded that the Borough does not have the ability to powerwash since there is no water accessibility in these parks. One time we had a resident volunteer his time and equipment to powerwash the tennis area. Recreation would have to reach out to him once again to see if he would provide the service again.

JC added that possible playground renovations to include ADA compliance may be considered in the future.

Discussion continued to include possible fundraising programs to help renew the playgrounds and remediate some conditions that concern the Finers. JC was encouraged with the fund raising concept and would initiate discussion with the members of the Recreation Commission to organize some form of program.

ALB has information in her office from past fund raising programs that may be beneficial. DW will also contact members of the HP5K to see if they would consider donating to fund park upgrades. JC agreed, 5K has been quite generous in the past.

Next topic of discussion was potholes on Norma Road. ALB informed the Finers that Norma Road will be put on the NJDOT or Riverside Cooperative list for the upcoming year. Until then, the DPW will make a concerted effort to keep an eye on the road until it is paved.

JG and LF requested that signage around town gets cleaned or removed (if they are dirty and rusty). ALB will forward the request to the DPW. Some locations are on County roads so permission will have to be granted to remove signage or to have replaced.

Also requested is to have the bushes trimmed at the Library on an annual basis and have the weeds by the flag pole removed.

PAH thanked the residents for their attendance at the meeting and bringing up their concerns. He was happy that some progress has been made.

(PAH) Meeting Closed to the Public

Motion GE

Second JP

Vote AIF

(PAH) Return to the Regular Order of Business

Motion GE

Second P

Vote AIF

(PAH) Minutes Approval

April 12, 2021

April 19, 2021

Motion JP

Second AN

Vote AIF

(PAH) Consent Agenda-Resolutions-

All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.

Consent Approval:

(A) 2021-87 Advertise for Bid-ADA Compliant Sidewalks Borough Hall

(B) 2021-88 Final Payment LaRoche Avenue Roadway Improvements

(C) 2021-89 CANCELLING TAXES PURSUANT TO N.J.S.A.54:4-3.32 Totally Disabled Veterans

(D) 2021-90 Homestead Rebate Credits

(E) 2021-91 Payment of Claims

Motion JP

Second JB

Roll Call AIF

Individual Committee Reports

(PAH) Mayor Hoelscher

Rev. Rhodes from St. Andrew's Church is retiring after 14 years of service to the community. She was always available to help in any way.

(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance

April Reports:

Building: \$14,112 in permit fees

HPVAC: 15 calls

HPFD: 6 calls, 1 Standby for Spring Valley Fire Department (Funeral for fallen fireman). Standard monthly meetings, 2 drills with the Ambulance Corps and training for their new truck.

(GE) Police, Municipal Court, Personnel

Additional Traffic Report for April 2021

7 summonses, (6 for equipment/ 1 moving violation)

2 Accidents (1 injury)

No DUI –YTD

(DW) DPW, Building & Grounds, Sanitation/Recycling

April Report:

Cleaned up the Hut at Highland Field

All Catch Basins were cleaned Dorotockey and Lynn Street

Couch and trash removed from woods at end of Hazel Street (Suez property)

Put up No Trespassing signs and rock to block vehicular traffic

2 barrels of trash removed from Ponside Clean-up Program

20 hay bales removed from park

57.37 tons curbside recycling

Market tonnage: White goods-18,560 lbs., 40 CY Street sweepings, 40CY Sticks and logs

(JB) Board of Health, Environmental Commission

Environmental Commission:

Applied for Sustainable NJ Grant for \$2000 for replanting at Closter Road

Met with DPW for locations for dog waste receptacles

April 22, 2021-Aaron DeNicola organized an Earth Day Clean Up as Starbuck's Community Ambassador-Beechwood and Pondsides Park. Request to recognize Aaron at a future MC meeting is appreciated.

Peter Ardito met with Allegro regarding their plantings as well as the Jug Handle on Old Hook Road.

Bergen SWAN will be planting at Pondsides Park-working with the EC and Green Team for sustainable plants in that area.

(JP) Finance, Admin. & Exec., Grants

(JC) Recreation Commission, Liaison to Board of Education, Public Information

Fishing Derby-June 20 Noon-2pm

High School Budget \$56M which includes \$1.8M for paving parking lot D and roof improvements-\$227.65 for the average home in Harrington Park (\$541,000).

Harrington Park School budget is \$14M-\$143 per average home.

(ALB) Borough Clerk/Administrator
May 25, 2021 Bond Adoption Meeting 7:00pm

Old Business

New Business

(DW) Submit for NJDOT Norma Road and portion of Hackensack Avenue from Spring Street to approx. Guy Street.

Motion DW

Second JP

Roll Call AIF

(JB) Inquired about consideration of the State program that rewards residents with property tax credit for shopping local businesses. Bill A48:06 was signed by the Governor. Program is run through a company that issues reward cards in conjunction with participating local businesses.
KJT explained that this is not a new program. The professional municipal finance organizations are opposed to this concept. At this point he does not have enough information to make any decision and KJT prefers to do his own research.
JB will also be doing additional research with municipalities that already use the program successfully.

JB announced the Captain Buccio Program that provides medical testing and health evaluations at no cost to first responders. JB recently experienced this extensive program, as well as a few other HP first responders. He was pleased with the experience and will be promoting to the Police and the Ambulance Corps.

(PAH) Open the Meeting to the Public

Motion GE

Second JP

Vote AIF

(PAH) Close the Meeting to the Public

Motion GE

Second JP

Vote AIF

Ordinances

Addendum F

First Reading by Title

#756 AN ORDINANCE TO AMEND & ESTABLISH FEES TO BE CHARGED BY THE RECREATION COMMISSION FOR USE OF RECREATIONAL FACILITIES

Motion JC

Explained that a new Fee Schedule for Field Use is necessary since the HP rates are much lower than neighboring towns. This has created substantial increase in use requests. Hopefully, additional funds that come in will help purchase new equipment for our fields and programs. There is a price differential for non-profit and for-profit. All funds raised will go into the Recreation Field Maintenance Trust Fund.

Second DW

Discussion none

Roll Call Vote AIF

(PAH) Motion for Closed Session GE Time: 8:33pm

Second JP

Vote AIF

RESOLUTION

WHEREAS, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

WHEREAS, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

(JP) Building Department

(JRD) Rooster Disturbance Litigation

BE IT FURTHER RESOLVED that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

Return to Open Session 8:37pm

Adjournment-Time: 8:38pm

Motion: GE

Second: JP

Vote: AIF

Addendum A

RESOLUTION

2021-87

ADVERTISE FOR BIDS

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, Bergen County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the plans & specifications for:

BOROUGH HALL COMPLEX WALKWAY AND LIGHT IMPROVEMENTS
BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED

**BOROUGH OF HARRINGTON PARK
BERGEN COUNTY, NEW JERSEY**

Are hereby approved and the Borough Clerk is hereby authorized to advertise for bids. This Resolution to take effect after the adoption of Bond Ordinance #755.

**Addendum B
Resolution
2021-88**

La Roche Avenue Roadway Improvement Final Payment

Be it resolved by the Mayor and Council of the Borough of Harrington Park, Bergen County, New Jersey that the contract for the **La Roche Avenue Roadway Improvements** was constructed by **Frank A. Macchione Paving Plus, 141 Central Avenue, Rochelle Park, NJ** in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor has supplied a 15% Guarantee Bond for a period of Two (2) years. The said construction is hereby accepted and final payment in the amount of **Two Thousand, Six Hundred Sixteen Dollars and Thirty-Four Cents (\$2,616.34)** is hereby approved.

**Addendum C
2021-89**

**RESOLUTION OF THE BOROUGH OF HARRINGTON PARK
COUNTY OF BERGEN, STATE OF NEW JERSEY
CANCELLING TAXES PURSUANT TO N.J.S.A.54:4-3.32**

WHEREAS, the following Homeowners were eligible to receive the Totally Disabled Veterans Property Tax Exemption,

BLOCK	LOT	OLFR HOMEOWNER	AMOUNT
501.01 8	CW201	GEORGE SELLAROLE 60 Blanch Ave, W201	\$1768.31
713	1	GAYLE MCELROY 82 Herring St.	\$4400.66
720	11	KENNETH GRIER 21 Herring St.	\$0.00
1306	13	RAY NAPOLITANO 131 Martha Road (50% ownership)	\$2213.86

WHEREAS, pursuant to N.J.S.A.54:4-3.32, the Mayor and Council have the authority to cancel charges for the Totally Disabled Veterans for 2021 property taxes and all future tax billings, when a N.J.S.A.54:4-3.32 Certification of Assessment Credit for Exemption has been granted, and

THEREFORE, BE IT RESOLVED by the Harrington Park Mayor and Council, in the County of Bergen, State of New Jersey, authorize CFO to refund paid taxes in the amount of 10,591.68 and discharge of debt for the 2021 property taxes and all future tax billings by approving disabled veteran exemption.

**Addendum D
Resolution
2021-90**

Homestead Rebate Credits

WHEREAS, the following homeowners are entitled to refunds of property taxes due to overpayments from HOMESTEAD REBATE CREDITS

BLOCK	LOT	QLFR	NAME	ADDRESS	AMOUNT
416	1		DI LIBERTO	225 BROOK STREET	500.00
501.03	8	CE204	SONZOGNI	20 BLANCH AVE, UNIT 204	450.28
715	11		CINELLI	73 KLINE ST	1050.00
723	7		HANSON	24 KLINE ST	760.32
910	1		PLUCINSKI	22 HARRIOT PLACE	1050.00

WHEREAS, the total of the overpayments due to HRC on the accounts in the amount of \$3,810.60

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the Chief Financial Officer shall issue refunds in the total amount of \$3,810.60 for overpayment of the 2021 property taxes.

**Addendum E
Resolution
2021-91**

Payment of Claims

WHEREAS, claims have been submitted to the Borough of Harrington Park in the following amounts under various funds of the town:

Current Appropriations (2020)	\$ 5,180.96
Current Appropriations (2021)	\$ 918,293.74
General Capital Fund	\$ 96,738.91
Animal Trust	\$ 689.80
Miscellaneous Trust	\$ 7,698.76

Affordable Housing Trust	\$	
Open Space Trust Fund	\$	6,892.00
Grants	\$	4,694.12
Escrow	\$	5,178.45
Total		\$ 1,045,366.74

WHEREAS, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, Borough Council, and the chief financial officer; and

WHEREAS, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Harrington Park and that the claims specified on the schedule attached hereto, following examination and approval by the Council and Chief Financial Officer and Department Head be paid and checks issued accordingly; and

WHEREAS, claims have already been paid in the following amounts for the purpose specified below:

Payroll- Salaries/Wages	\$	126,189.21
Payroll- Salaries/Wages	\$	123,690.63
Payroll- Salaries/Wages	\$	
Payroll-Salaries/Wages	\$	
Local School-	\$	2,123,310.00
Regional School –	\$	711,659.50
Capital Fund/Health Benefits/Pensions	\$	712,626.02
Debt Services Principle (bond)	\$	
Debt Services Interest	\$	
Debt Service Loan/Interest (NJEIT)	\$	

TOTAL \$ 3,797,475.36

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the claims totaling **\$4,842,842.10** be approved and ratified respectively.

**Addendum F
BOROUGH OF HARRINGTON PARK
ORDINANCE #756
RECREATION FEES**

**AN ORDINANCE TO AMEND & ESTABLISH FEES TO BE CHARGED BY THE RECREATION
COMMISSION FOR USE OF RECREATIONAL FACILITIES**

Whereas, the Mayor and Council of the Borough of Harrington Park have determined that it is in the best interest of the Borough to amend or create certain fees and to provide for payment of others as may be recommended by the Recreation Commission;

and

Whereas, the amendment/establishment of such fees shall provide for better, improved and continued Borough services as specifically considered and approved by the Recreation Commission;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Harrington Park as follows:

- 1) Section 373-4 shall be amended and provide for fees to be paid for the use of Borough of Harrington Park recreational facilities, in the discretion of the Recreation Commission as follows:

Fee Schedule

Tennis-

Annual Fee - \$150

Court Fee - \$15/hr

A private lesson can be performed only at the designated court by the Recreation Commission and not exceeding more than two courts at the same time.

Field Use

For profit

Annual Fee - \$150

Field fee -\$50/hr

Non-Profit

Annual Fee - \$75

Field fee - \$25/hr

Maximum fee - \$400/3 months